APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/468,617	12/21/1999	Robert J. Munger	FS-00464	3841

7590   09/27/2002

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EXAMINER
CRAIG, DWIN M

ART UNIT	PAPER NUMBER
2123	3

DATE MAILED: 09/27/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _21 December 1999_ .

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under _Ex parte Quayle_, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-10_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-10_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____ .

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _2_ .

4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

1.   Claims 1-10 have been presented for examination. Claims 1-10 have been examined and

rejected.

Drawings

2.   This application has been filed with informal drawings which are acceptable for

examination purposes only. Formal drawings will be required when the application is allowed.

Claim Interpretation

3.   Claim 1 has been given the broadest interpretation by the examiner. For purposes of

examination the examiner has determined that the phrase "effect a change in keysets or menus"

refers to the user being able to define programmable hotkeys in the user interface.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999

(AIPA) do not apply to the examination of this application as the application being examined

was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C.

122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment

by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4.   **Claims 1-10 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by**

Isreal et al. "Graphical User Interface (GUI) Prototyping and Specification Tool", U.S.

Patent 6,330,007. *Isreal et al.* Discloses, A method for programming an operator system

interface with a simulator **Col. 2, Lines 12-26.** comprising the steps of: providing definitional

tables for an operator system interface, wherein said tables define specific governing attributes of

said operator system interface; **Col. 2, Lines 27-39.** Generating a simulated operator system

interface simulator program, wherein when the simulator program is run on a computing device,

it displays a representation of the operator system interface defined by the definitional tables

input in the providing step, **Col. 2, Lines 22-26.** and allows a user to select components of the

interface, **Col. 2, Lines 27-39.** using a pointing device, **Col. 5, Lines 42-54.** in order to view

information about the selected component on a display device or to effect a change in keysets or

menus. **Col. 2, Lines 41-56.**

As regards **Claim 2** see *Isreal et al.* - **Figure 3,** and **Col. 8, Lines 45-62.**

As regards **Claim 3** see *Isreal et al.* - **Figures 7-9, 15-17, 30-33** and **Col. 2, Lines 22-26.**

As regards **Claim 4** see *Isreal et al.* - **Figure 2B.**

As regards **Claim 5** *Isreal et al.* discloses, **Col. 2, Lines 27-40.**

As regards **Claim 6** *Isreal et al.* discloses, **Col. 4, Lines 40-67 and Col. 5, Lines 1-18.**

As regards **Claim 7** *Isreal et al.* discloses, **Col. 4, Lines 40-67 and Col. 5, Lines 1-18.**

and Figure(s) 2A,2B and 3.

As regards **Claim 8** see *Isreal et al.* - **Figure 1.**

As regards **Claim 9** *Isreal et al.* discloses, **Col. 2, Lines 12-28.**

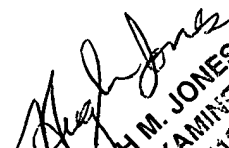As regards **Claim 10** *Isreal et al.* discloses, **Col. 2, Lines 12-28.**

Conclusion

5.   Any inquiry concerning this communication or earlier communications from the
examiner should be directed to Dwin M Craig whose telephone number is 703 305-7150. The
examiner can normally be reached on 9:00 - 5:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's
supervisor, Kevin Teska can be reached on 703 305-9704. The fax phone numbers for the
organization where this application or proceeding is assigned are (703) 746-7239 for regular
communications and (703) 746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding
should be directed to the receptionist whose telephone number is 703 305-3900.

DMC
August 1, 2002